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December 15, 2015

VIA ECF AND HAND DELIVERY

Honorable Deborah A. Batts
U.S. District Court for the
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 2510
New York, New York 10007

Allied Irish Banks, P.L.C. v. Citibank, N.A., No. 03 Civ. 3748 (DAB)(GWG)

Dear Judge Batts:

We write in response to yesterday's e-mail from Your Honor's Chambers attaching a letter from Mr. Rusnak. Although Citibank believes that the subpoena served on Mr. Rusnak is valid and enforceable, and that the Court would benefit from hearing Mr. Rusnak's testimony, we believe that in light of Mr. Rusnak's reference to his Fifth Amendment rights (and consistent with comments made by the Court at the December 8, 2015 conference), Mr. Rusnak should be represented by counsel. Given Mr. Rusnak's reference to his inability to afford counsel, we ask that the Court appointed Mr. Rusnak CJA counsel in this matter. We have conferred with counsel for AIB to see if they would consent to this request; they have informed us that they will submit a letter to the Court setting forth their position.

Respectfully,


Roberto Finzi

*NOT ADMITTED TO THE NEW YORK BAR

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

Honorable Deborah A. Batts

2

cc: Alan Levine (by e-mail)
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